

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1792

In re

Patent Application of

Oskar K. Wack et al.

Application No.: 09/142,452

Confirmation No.: 2215

Filed: January 19, 1999

Examiner: Markoff, Alexander

Title: Method of Cleaning Objects

Statement pursuant to 37 CFR 1.125(b) and
Verification and Translation pursuant to 37 CFR 1.495(f)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jeffrey D. Tekanic, am employed by Kramer Barske Schmidtchen of Landsberger Strasse 300, Munich 80687, Germany, and declare that:

- 1) I am conversant in both German and English;
- 2) I personally prepared the Substitute Specification being filed with the Amendment and Response to the Species Election Requirement mailed December 28, 2007;
- 3) the English translation provided by said Substitute Specification is, to the best of my knowledge and belief, a true and accurate translation of the original German text of International Application No. PCT/EP97/01192 and includes no new matter;
- 4) all changes made to the original English translation filed when said International Application No. PCT/EP97/01192 entered the US national phase are based upon, and directly correspond to, the original German language description of International Application No. PCT/EP97/01192;
- 5) no amendments to International Application No. PCT/EP97/01192 have been incorporated into said Substitute Specification with one exception: paragraph number has been added, but not shown as a change, in accordance with the last sentence of 37 CFR 1.125(c);

6) to the extent that new text appears in said Substitute Specification, which did not previously appear in the originally-filed English translation of International Application No. PCT/EP97/01192, such additions were necessary due to the failure to include corresponding translations of certain German text in said originally-filed English translation of International Application No. PCT/EP97/01192;

7) according to Article 11(3) of the Patent Cooperation Treaty, "any international application fulfilling the requirements listed [above] . . . shall have the effect of a regular national application in each designated State . . .";

8) according to 35 USC §371(c)(2), a translation into the English language of the international application is required when the US national stage is entered for a non-English language application;

9) according to 35 USC §375(b), if the translation of the international application is incorrect and exceeds the scope of the international application in the original language, the court of competent jurisdiction may retroactively limit the scope of the issued patent therefrom;

10) according to MPEP §1893.01(d), a literal, faithful English translation of the international application must be filed and a translation of less than all the original non-English text is considered to be unacceptable;

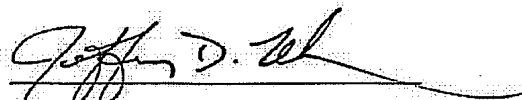
11) thus, these provisions establish that the original German language text of said International Application No. PCT/EP97/01192 serves as the original written description for the above-identified US national stage patent application, and not said originally-filed English translation or the Substitute Specification previously filed April 24, 2003;

12) consequently, to the extent that the pending English text inappropriately deviated from the original German text of said International application, correction is warranted and permissible at this time; and

13) all statements made of my own knowledge are true and all statements made on information and belief are believed to be true and further, these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and such false statements may jeopardize the validity of the application or any patent issuing thereon.

26 February 2008

Date


Jeffrey D. Tekanic
Reg. No. 36,031